## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE EASTERN DIVISION

JUSTIN LEE WILLIAMS,	)
Plaintiff,	) )
VS.	) No. 18-1150-JDT-cgc
	)
TONY PARKER, ET AL.,	)
	)
Defendants.	)

## ORDER RE-ASSESSING \$350 FILING FEE IN ACCORDANCE WITH PLRA

On August 10, 2018, the *pro se* prisoner Plaintiff, Justin Lee Williams, filed a civil complaint and a motion to proceed *in forma pauperis*. (ECF Nos. 1 & 2.) At the time, Plaintiff was incarcerated at the Northwest Correctional Complex ("NWCX") in Tiptonville, Tennessee. Once Plaintiff filed a copy of his inmate trust account, the Court issued an order on August 22, 2018, granting leave to proceed *in forma pauperis* and assessing the \$350 civil filing fee pursuant to the installment provisions of the Prison Litigation Reform Act ("PLRA"), 28 U.S.C. §§ 1915(a)-(b). However, on August 28, 2018, Plaintiff notified the Court that he had been moved to the Alachua County Jail in Gainesville, Florida, for an indefinite period of time. (ECF No. 8.) Therefore, the Court hereby re-assesses the \$350 civil filing fee and specifically directs the order to officials at the Alachua County Jail ("Jail").

Pursuant to 28 U.S.C. § 1915(b)(1), it is ORDERED that Plaintiff cooperate fully with Jail officials in carrying out this order. It is further ORDERED that the trust account officer at the Jail shall calculate a partial initial filing fee equal to twenty percent (20%) of the greater of the average

balance in or deposits to Plaintiff's trust account for the six months immediately preceding the completion of the affidavit. When the account contains any funds, the trust account officer shall collect them and pay them directly to the Clerk of the Court. If the funds in Plaintiff's account are insufficient to pay the full amount of the initial partial filing fee, the trust account officer is instructed to withdraw all of the funds in the Plaintiff's account and forward them to the Clerk of the Court.

On each occasion that funds are subsequently credited to Plaintiff's account the trust account officer at the Jail shall immediately withdraw those funds and forward them to the Clerk of Court, until the initial partial filing fee is paid in full.

It is further ORDERED that after the initial partial filing fee is fully paid, the trust account officer at the Jail shall withdraw from Plaintiff's account and pay to the Clerk of this Court monthly payments equal to twenty percent (20%) of all deposits credited to Plaintiff's account during the preceding month, but only when the amount in the account exceeds \$10, until the \$350 filing fee is paid.

Each time the trust account officer makes a payment to the Court as required by this order, he shall print a copy of the prisoner's account statement showing all activity in the account since the last payment under this order and submit it to the Clerk along with the payment. All payments and accounts statements shall be sent to:

Clerk, United States District Court, Western District of Tennessee 111 S. Highland Ave., Rm. 262, Jackson, TN 38301

and shall clearly identify Plaintiff's name and the case number as included on the first page of this order.

If Plaintiff is transferred to a different prison or released, he is ORDERED to notify the Court

immediately, in writing, of his change of address. If still confined, he shall provide the officials at

the new facility with a copy of this order. If Plaintiff fails to abide by these or any other

requirements of this order, the Court may impose appropriate sanctions, up to and including

dismissal of this action, without any additional notice or hearing by the Court.

The Clerk shall mail a copy of this order to the prison official in charge of prison trust fund

accounts at the Jail. The Clerk is further ORDERED to forward a copy of this order to the Director

of the Alachua County Jail to ensure that the custodian of Plaintiff's inmate trust account complies

with that portion of the PLRA pertaining to the payment of filing fees.

IT IS SO ORDERED.

s/ James D. Todd

JAMES D. TODD

UNITED STATES DISTRICT JUDGE

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